

**FRANKLIN COUNTY  
APPLICATION  
FOR VARIANCE  
(Type or Print)**

I/We, Gary and Linda Kirchhoff, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Zoning Appeals for a variance from requirements of the Zoning Ordinance as hereinafter described:

1. Applicant's Name: Gary and Linda Kirchhoff
2. Property Owner's Name: Gary and Linda Kirchhoff
3. Address of Property: 189 Middlecreek Ct., Moneta, Va. 24121
4. Phone Number: 540-420-7541
5. Exact Directions to Property from Rocky Mount: Rocky Mount - (Rt. 122) to Westlake Corner, Scruggs Rd, left onto (Rte 942) Bluewater Drive, Right (#1290) Saunders Farm Rd, Right (#1291) Winding Water, LEFT (#1292) Channelview, Right (#1293) Middlecreek Ct. - located at end of cul-de-sac
6. Tax Map and Parcel Number: 03203-045 00 / 04700
7. Magisterial District: \_\_\_\_\_
8. Property Information:
  - A. Size of Property: 1.9170 Acres
  - B. Existing Land Use: Residential
  - C. Existing Zoning: Residential
  - D. Is property located within any of the following overlay zoning districts:  
\_\_\_\_ Corridor District \_\_\_\_ Westlake Overlay District \_\_\_\_ Smith Mountain Lake Surface District
  - E. Is any land submerged under water or part of a lake? Yes \_\_\_\_ No X  
If yes, explain: \_\_\_\_\_
  - F. Describe how the strict application of the ordinance would unreasonably restrict the use of the property or how the granting of the variance would alleviate a hardship due to a physical condition of the property: At the time of the construction of this garage, we hired a licensed contractor for this building. Sometime after completion we became aware there is encroachment of the 35ft. offset. We are requesting this variance in order to comply with county regulations.

9. Proposed Development Information:

A. Proposed Land Use: Garage - Detached

B. Proposed Zoning: Residential

C. Size of Proposed Use: \_\_\_\_\_

- Section of the Zoning Ordinance for which a variance is being requested: \_\_\_\_\_  
(Zoning Code section must be correct and all applicable code sections included in request.)

**Checklist for completed items:**

- \_\_\_\_\_ Application Form
- \_\_\_\_\_ Letter of Application
- \_\_\_\_\_ List of Adjoining Property Owners and Addresses
- \_\_\_\_\_ Concept Plan
- \_\_\_\_\_ Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): Gary AND Linda Kirchhoff

Signature of Applicant: G. Kirchhoff / Linda Kirchhoff

Date: OCT 30, 2016

Mailing Address: 189 Middlecreek Ct,  
Moneta, Va. 24121

Telephone: 540-420-7541

Owner's consent, if applicant is not property owner:

Owner's Name (Print): \_\_\_\_\_

Signature of Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK#: \_\_\_\_\_

RECEIPT #: \_\_\_\_\_

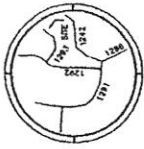
AMOUNT: \_\_\_\_\_

In order to build this garage, we combined 3 lots into one. Surveys done allowed us to try to situate this building in the location which had the least impact on the natural integrity of the wooded areas of the newly formed lot 44A. Stakes were placed by the contractor with multiple adjustments to accommodate the steep slope, the wooded areas and the irregular boundaries of the property. One of our priorities was to save the hardwood trees. The steep slope would require truckloads of dirt in addition to exponential increases of cost. The boundary of lot 44A and 42 is diagonal; hence the rectangular building just did not fit there. The garage is situated on what was mostly open yard with the fewest number of trees (no hardwoods) sacrificed for the impression of the building. Sometime after the garage was completed we found out that the building was not in compliance with the 35 foot offset regulation, a small part of the corner of the building encroaches the line. Therefore, we are requesting that Franklin County Commission grant a variance to comply with county rules.

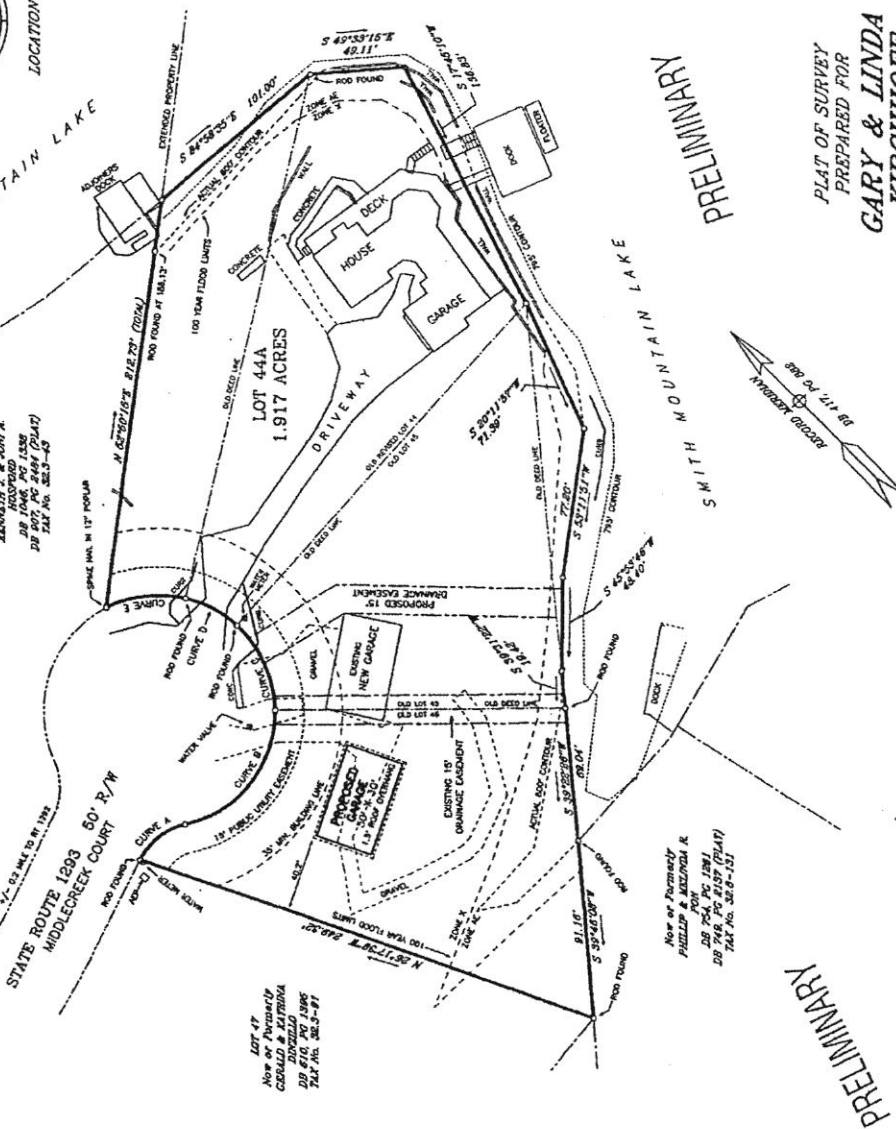
CURRENT OWNER - GARY & LINDA KIRCHHOFF

REFERENCE - T&E No. 58.3-45  
RECORDED LOT 44  
JANUARY 1988 (PLAT)  
T&E No. 58.3-46  
LOT 45  
T&E No. 58.3-47  
T&E No. 58.3-48  
T&E No. 58.3-49  
T&E No. 58.3-50  
T&E No. 58.3-51  
T&E No. 58.3-52  
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T&E No. 58.3-93  
T&E No. 58.3-94  
T&E No. 58.3-95  
T&E No. 58.3-96  
T&E No. 58.3-97  
T&E No. 58.3-98  
T&E No. 58.3-99  
T&E No. 58.3-100

CURVE	RADIUS	TANGENT	CHORD	DELTA	CHANGING
A	35.00'	18.83'	31.05'	30°49'33"	S 83°14'38"E
B	60.01'	48.41'	77.47'18"	77°47'18"	N 83°14'38"E
C	60.01'	48.41'	77.47'18"	77°47'18"	N 83°14'38"E
D	60.01'	48.41'	77.47'18"	77°47'18"	N 83°14'38"E



LOCATION MAP



PLAT OF SURVEY  
PREPARED FOR  
**GARY & LINDA  
KIRCHHOFF**

LOCATED IN  
GILLS CREEK MAGISTERIAL DISTRICT  
FRANKLIN COUNTY, VIRGINIA  
NOVEMBER 23, 2015  
SCALE 1" = 40'

FIELD BY 587, JOB NO. 14091, DRAWING NO.

CORNERSTONE LAND SURVEYING, INC.  
250 SOUTH MAIN STREET  
PO BOX 177  
ROCKY MOUNT, VIRGINIA 24151  
540-489-3500